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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 COREY JOHNSON,

9 Petitioner

10 v.

11 STATE OF NEVADA,

12 Respondents
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Case No.: 2:20-cv-01389-RFB-EJY

ORDER

14 Petitioner Corey Johnson has submitted a *pro se* petition for writ of habeas corpus
15 (ECF No. 1). However, Petitioner failed to submit an application to proceed *in forma*
16 *pauperis* or pay the filing fee. Accordingly, this matter has not been properly commenced.
17 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2.

18 Thus, the present action will be dismissed without prejudice to the filing of a new
19 petition in a new action with either the \$5.00 filing fee or a completed application to
20 proceed *in forma pauperis* on the proper form with both an inmate account statement for
21 the past six months and a properly executed financial certificate. The Court also notes
22 that it appears that Johnson challenges the calculation of his parole date or possibly the
23 revocation of parole, and he attaches a summary of a preliminary parole board inquiry

1 hearing dated May 26, 2020. The Court takes judicial notice that Johnson cannot have
2 exhausted his state administrative remedies in such a short time period. Further, it is
3 unclear that Johnson states a claim for which federal habeas relief may be granted. See
4 *Nettles v. Grounds*, 830 F.3d 922, 935 (9th Cir. 2016) (in order to state a cognizable
5 habeas corpus claim, success on such claim must necessarily lead to speedier release).

6 **IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice to
7 the filing of a new petition in a new action with either the \$5.00 filing fee or a properly
8 completed application to proceed *in forma pauperis*.

9 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**, as jurists
10 of reason would not find the Court's dismissal of this improperly commenced action
11 without prejudice to be debatable or incorrect.

12 **IT IS FURTHER ORDERED** that the Clerk shall send petitioner one copy of the
13 papers that he submitted in this action.

14 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly
15 and close this case.

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17 Dated: September 3, 2020

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20 RICHARD F. BOULWARE, II
21 UNITED STATES DISTRICT COURT
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